



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Order 2003-11-12

Issued by the Department of Transportation
on the 19th day of November, 2003

In the matter of the revocation of the interstate scheduled air transportation certificate issued under 49 U.S.C. 41102 to

NATIONAL AIRLINES, INC.

pursuant to the provisions of section 204.7 of the Department's Aviation Regulations

Served: November 24, 2003

Docket OST-98-4538

ORDER REVOKING CERTIFICATE

National Airlines, Inc. (National), a Delaware Corporation, holds a certificate authorizing it to engage in interstate scheduled air transportation of persons, property, and mail.¹ National operated under its certificate until November 6, 2002, at which time, the carrier ceased all air transportation operations.²

Section 204.7 of the Department's Aviation Regulations (14 CFR 204.7) provides that, if a carrier ceases the air transportation operations for which it was found fit, it may not resume nor advertise such services until its fitness to do so has been re-determined by the Department. Section 204.7 further provides that, if a carrier does not have its fitness re-determined and resume operations within one year of the date of its cessation, its certificate authority will be revoked for dormancy.

By letters dated November 7, 2002, and August 1, 2003, the Department reminded National of the provisions of section 204.7. Among other things, the letters stated that if National did not have its economic fitness re-determined and resume operations within one year of its cessation, in this case, by November 7, 2003, the Department would revoke its certificate authority at that time for reasons of dormancy.

¹ See Order 99-5-11, issued May 25, 1999.

² National's certificate authority became effective on May 21, 1999. On December 2, 2000, National filed for protection under Chapter 11 of the U.S. Bankruptcy Code. National ceased all scheduled passenger operations on November 6, 2002.

It has now been over a year since National ceased all air transportation operations. To date, the carrier has not filed an application to resume operations, nor do we have any other information that would lead us to conclude that it plans to resume operations any time soon.³ Under these circumstances, we will revoke, without prejudice, National's certificate for reason of dormancy.

ACCORDINGLY, Acting under authority assigned by the Department in its Regulations, 14 CFR 385.12:

1. We revoke the interstate scheduled certificate issued to National Airlines, Inc., by Order 99-2-10.
2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order, under 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

This order shall become effective and become the final action of the Department of Transportation upon expiration of the above period unless within such period a petition for review is filed or the Department gives notice that it will review this order on its own motion.

By:

RANDALL D. BENNETT

Director
Office of Aviation Analysis

*An electronic version of this document is available on the World Wide Web at
<http://dms.dot.gov>*

³ National's bankruptcy proceeding has been changed from Chapter 11 (reorganization) to Chapter 7 (liquidation).

SERVICE LIST FOR NATIONAL AIRLINES, INC.

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